

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	4:10CR3017
)	
v.)	
)	
TORRENCE J. TERRY,)	MEMORANDUM AND ORDER
)	
Defendant.)	
_____)	

The defendant has moved to continue trial, (filing no. [48](#)), because counsel for defendant was just recently appointed and needs additional time to adequately prepare for trial. The government does not oppose the requested continuance. The Court finds defendant's motion will be granted.

IT IS ORDERED:

- 1) Defendant Torrence J. Terry's motion to continue, (filing no. [48](#)), is granted.
- 2) The trial of this case is set to commence before the district judge at 9:00 a.m. on November 29, 2010 for a period of four days. Jury selection will be at the commencement of trial.
- 3) Based upon the showing set forth in the defendant's motion and the representations of his counsel, the Court further finds that the ends of justice will be served by continuing the trial; and that the purposes served by continuing the trial date in this case outweigh the interest of the defendant and the public in a speedy trial. Accordingly, the time between today's date and November 29, 2010 shall be excluded for speedy trial calculation purposes. 18 U.S.C. § 3161(h)(7).

DATED this 17th day of September, 2010. BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge